Approved For Release 2001/08/08 : CIA-RDP85-00375R000200120005-3

3 APR 1970

MEMORANDUM FOR THE RECORD

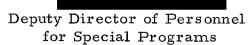
SUBJECT : Mexican Divorces

REFERENCE: D/Pers Memorandum for the Record, same subject,

dated 23 March 1970

- 1. Paragraph 2c of the referent memorandum required a follow up with the Director, Bureau of Retirement and Insurance on the results of his review of BRI's policy with respect to annuities payable in cases involving Mexican divorces.
- 2. On 3 April 1970, I had the opportunity to ask Mr. Ruddock if he had completed his study. He said he had and that BRI's policy will continue to be the same as in the past, i.e., BRI will not be the one to question the validity of the current marriage upon which a request for survivorship benefits is based. In the absence of a conflicting claim received from a former wife or in the absence of any contest to the payment of benefits to the present wife, BRI's procedure will result in the award of survivorship benefits to the current spouse.
- 3. During my conversation with Mr. Ruddock I read him the FEGLI segment of my memorandum for the record, dated 20 March 1970, which is attached to the referent memorandum. While Mr. Ruddock agreed that at some point in time it is possible for FEGLI benefits to be paid to one person qualifying as surviving spouse, and annuity benefits to another, he felt that the problem would end up being self-correcting. First of all, he doubts very much that O/FEGLI will award FEGLI benefits to a former wife without checking with BRI to determine the beneficiary for annuity benefits. Such a check would operate as a brake and would avoid the situation of two different people qualifying as surviving spouse. Furthermore, even if O/FEGLI did not check with BRI in advance, BRI would in due course learn of the payment because of existing reporting requirements between O/FEGLI and BRI. This would result in a review of benefits being paid by BRI. In addition, if O/FEGLI actually interpleads, BRI would await the results of the court determination.

STATINTL



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